

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: Target Corporation Customer
Data Security Breach Litigation,

MDL No. 14-2522 (PAM/JJK)

PRETRIAL SCHEDULING ORDER

This Order relates to all CONSUMER ACTIONS.

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and the Local Rules of this Court, and in order to secure the just, speedy, and inexpensive determination of this action, the following schedule shall govern these proceedings. The schedule may be modified only upon formal motion and a showing of good cause as required by Local Rule 16.3.

Pleadings and Disclosures

- | | |
|---------------------------|--|
| September 15, 2014 | - All pre-discovery disclosures required by Rule 26(a)(1), including production of documents, shall be completed on or before this date. Any disputes regarding pre-discovery disclosures shall be called immediately to the Court's attention by making an appropriate motion, and shall not be relied upon by any party as justification for not adhering to this Pretrial Scheduling Order. |
| August 25, 2014 | - Consolidated Complaint shall be filed by this date. |
| May 1, 2015 | - All motions which seek to amend the pleadings must be served and filed on or before this date, and shall include a redlined version reflecting the changes contained in the proposed amended pleading. This deadline does not apply to motions which seek to amend the complaint to add a claim for punitive damages. Such motions must be brought on or before the non-dispositive motion deadline. |
| December 1, 2014 | - All motions which seek to add parties must be served and filed on or before this date. |

Motions to Dismiss

- October 1, 2014** - Motions to dismiss filed by this date.
- October 31, 2014** - Responses to motions to dismiss due.
- November 20, 2014** - Reply memoranda in support of motions to dismiss due.

Class Certification Discovery and Motions

- April 1, 2015** - Class certification expert reports due.
- April 1, 2015** - Class certification motions filed.
- May 1, 2015** - Responses to class certification motions due.
- June 1, 2015** - Reply memoranda in support of class certification motions due.

Merits Discovery and Non-dispositive Motions

The parties shall meet and confer regarding number of interrogatories and number of deposition necessary for the prosecution and defense of the action. **The parties anticipate calling expert witnesses. Plaintiffs' merits expert reports shall be due by August 1, 2015. Defendants' merits expert reports shall be due September 1, 2015. Expert discovery shall be complete by November 1, 2015.**

- July 1, 2015** - All fact discovery shall be commenced in time to be completed by this date. Each party shall fully supplement all discovery responses quarterly in accordance with Fed. R. Civ. P. 26(a). Any evidence responsive to a discovery request that has not been disclosed before the trial date, except for good cause shown, shall be excluded from evidence at trial.
- November 1, 2015** - All non-dispositive motions and supporting documents, including those which relate to discovery and any request for extension of this Pretrial Scheduling Order, shall be served, filed, and HEARD

by this date. Discovery disputes shall be resolved through letter briefing and regular discovery conferences. If, after meeting and conferring, the parties are unable to resolve a discovery dispute, the moving party may file via ECF a letter of no more than three pages, single-spaced with 13-point font, setting forth the dispute and providing relevant legal authority. The opposing party may then file via ECF, within three business days, a three-page letter, single-spaced with 13-point font, in response. The Magistrate Judge may then hold an in-person or telephonic hearing, or rule without a hearing.

If a party wishes to object to the Magistrate Judge's order, it must file a motion to be heard by the Court at the next regularly scheduled status conference.

Settlement Conference, Dispositive Motions and Trial

December 1, 2015

- All dispositive motions shall be served, filed, and fully briefed by this date. Counsel for the moving party shall call Suzanne Ruiz, Calendar Clerk to Judge Paul A. Magnuson, at 651-848-1156 to schedule the hearing. All dispositive motions shall be scheduled, filed and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota and in compliance with Local Rule 7.1 and this Court's Standing Order on Dispositive Motion Practice. When a motion, response, or reply brief is filed on ECF, two paper courtesy copies of the pleading and one paper courtesy copy of all supporting documents shall be mailed or delivered to Calendar Clerk, Suzanne Ruiz, contemporaneously with the documents being posted on ECF. Counsel are forewarned that six to eight weeks advance notice is necessary to place a dispositive motion on the calendar.

January 1, 2015

- Final settlement conference shall be held on or before this date.

April 1, 2016

- The case shall be ready for trial by this date. The parties estimate that trial of this matter will take **14-21** days.

Dated: June 25, 2014

s/ Paul A. Magnuson

Paul A. Magnuson

United States District Court Judge

Discovery Cut-Off

July 1, 2015

Non-Disp. Motions

November 1, 2015

Disp. Motion Ends

December 1, 2015

Trial Date

April 1, 2016